

**INFORM****FY 06 — Issue #2**

January 26, 2006

**Inside this issue**

GSA's policy on use of IA's to procure severable services	2
GSA is keeping a close eye on BlackBerry® issue	4
GSA extends FTS 2001 contracts	4
TX, OK, AR telecommunications contracts awarded	4
FTS Trouble Reporting Center	5
GSA prepares for secure federal ID card acquisition	5
GSA's agency website is better than ever	5
Kudos	6
When disaster strikes	7
GSA EXPO	7
Regional contacts	8

**Bibb is Acting Administrator of GSA**

David Bibb

David L. Bibb began serving as Acting Administrator on November 1, 2005.

A GSA veteran of almost 34 years, Bibb most recently served as Deputy Administrator of GSA. During his career, he has been named to several executive level positions including deputy commissioner and assistant commissioner for planning, both within GSA's Public Buildings Service. He also served as deputy associate administrator for Real Property within GSA's Office of Governmentwide Policy.

Bibb works closely with members of the GSA senior leadership team to devise policy and provide management and acquisition services to other federal agencies, thereby enabling them to achieve their missions of service to the American people.

**Wagner is Acting Commissioner for Federal Acquisition Service**

The President's Management Agenda calls on federal agencies to meet twin goals of reducing government spending and improving performance. With these outcomes in mind, GSA announced in Summer 2005 the agency's plan to restructure some of its primary functions.



Marty Wagner

The most significant outcome of this reorganization will be a new GSA Service—the Federal Acquisition Service (FAS)—that will emerge from the consolidation of GSA's Federal Technology Service (FTS) and Federal Supply Service (FSS). Many factors led to the planned reorganization, including shifting customer needs, an evolution

in how agencies acquire technology products and services, and a greater emphasis on GSA's role in federal procurement.

G. Martin Wagner was appointed Acting Commissioner of Federal Acquisition Service, effective December 21, 2005. In directing FAS, Wagner oversees a federal service which represents several GSA business lines. FAS is focused on local customer service delivery and increased efficiencies that enable GSA to better serve customer agencies. Prior to this appointment, Wagner was the Associate Administrator for Governmentwide Policy at GSA, where he developed and evaluated policies for management of the federal government's internal operations.

**Hold on to your BlackBerry® – Help is on the way!**

This month the U.S. Supreme Court declined to hear an appeal from BlackBerry® maker, Research In Motion (RIM), in the highly publicized war over patents for the popular handheld devices. This action has created huge turmoil for the wireless industry and millions of BlackBerry® users.

...Continued on Page 4, see: "GSA is keeping a close eye on BlackBerry® issue"

## GSA's policy on use of Interagency Agreements to procure severable services



The GSA General Counsel recently issued a letter to the Department of Defense (DoD) General Counsel which clarified GSA's policy regarding use of interagency agreements (IAs) to procure severable services. This clarification is useful for the two agencies to have a common understanding of how IAs are to be handled, and provides a cohesive and consistent position which will also benefit both agencies in responding to questions posed by both the GSA and DoD Offices of Inspector General in their review of GSA task orders on behalf of DoD.

The letter, dated January 12, 2006, states GSA's intention to handle IAs involving severable services in the same manner as those involving nonseverable services except that, as required by statute, the contracts for severable services will have a performance period of no more than one calendar year.

The following is quoted from GSA General Counsel, Alan R. Swendiman's letter dated January 12, 2006, to Mr. William J. Haynes, II, DoD General Counsel.

"...When an IA is entered into under authority other than the Economy Act, 31 U.S.C. § 1535, the existence of a defined requirement at the time the IA is executed forms the basis for incurring and recording a financial obligation by the requesting agency. The servicing agency then has a reasonable period of time to fill the requesting agency's need, and the fiscal year appropriation current at the time of the IA should be charged for the full costs of the IA, notwithstanding that the work may not be completed during that fiscal year. See *Transfer of Fiscal Year 2003 Funds from the Library of Congress to the Office of the Architect of the Capital*, 8302760 (May 17, 2004); *Independent Statutory Authority of Consumer Product Safety Commission to Enter Into Interagency Agreements*, 8-289380 (July 31, 2002); *Matter of: Continued Availability of Expired Appropriation for Additional Project Phases*, 8-286929 (April 25, 2001).

GSA's authority for IAs is the Federal Property and Administrative Services Act (Property Act), 40 U.S.C. §§ 501,502 and section 5112 of the Information Technology Management Reform Act (ITMRA), 40 U.S.C. § 11302. Thus, when DoD and GSA enter into a valid IA under these authorities, DoD properly may record an obligation for the full annual value of the services to be procured by GSA, and GSA properly may issue task orders or award contracts using annual DoD funding even if the award occurs in a subsequent fiscal year.

When the IA is for procurement of severable services, the terms of the IA and the resultant contract must also comply with the following statutory restriction. Pursuant to 10 U.S.C. § 2410a and 41 U.S.C. § 253l, the performance period can be no more than 12 months. Section 2410a provides,

(a) Authority. (1) The Secretary of Defense, the Secretary of a military department, or the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, may enter into a contract for a purpose described in paragraph (2) for a period that begins in one fiscal year and ends in the next fiscal year if (without regard to any option to extend the period of the contract) the contract period does not exceed one year.

(2) The purpose of a contract described in this paragraph is as follows:

(A) The procurement of severable services.

(B) The lease of real or personal property, including the maintenance of such property when contracted for as part of the lease agreement.

(b) Obligation of funds. Funds made available for a fiscal year may be obligated for the total amount of a contract entered into under the authority of subsection (a).

*Continued from Page 2. . .* **Using IAs to procure severable services**

Section 253~~l~~ of Title 40, U.S. Code, the equivalent of section 2410 for civilian agencies, provides,

(a) Authority

The head of an executive agency may enter into a contract for procurement of severable services for a period that begins in one fiscal year and ends in the next fiscal year if (without regard to any option to extend the period of the contract) the contract period does not exceed one year.

(b) Obligation of funds

Funds made available for a fiscal year may be obligated for the total amount of a contract entered into under the authority of subsection (a) of this section.

Based on these authorities, contracts for severable services can be for no more than one calendar year. When the contract for severable services is awarded via an IA, there may be an issue as to when the period of performance begins -- that is, whether the period of performance begins when the IA is accepted or whether it begins when the contract is awarded.

GSA's position is that the authority of a servicing agency to enter a contract to fulfill an IA following the close of the fiscal year, discussed above, complements the authority in 10 U.S.C. § 2410a and 41 U.S.C. § 253~~l~~ to contract for severable services for a period of up to one calendar year. Therefore, we do not view the time period for GSA's procurement services as part of the 12 month period of performance.

In reaching this conclusion, we have considered that both 10 U.S.C. § 2410a and 41 U.S.C. § 253~~l~~ apply to "contracts", limiting the "contract period" to one year where it is a procurement of severable services. While IAs are like contracts in some ways, they differ from contractual transactions in other ways. See, B-302760, *supra*, at note 10. Applying the plain meaning of the statutes, these provisions apply to contracts, not interagency agreements. Had Congress intended to make them applicable to interagency agreements, it would have done so. We also find it significant that the purpose of 10 U.S.C. § 2410a, enacted as part of the Federal Acquisition Streamlining Act, was to provide agencies with greater flexibility in managing their contracts. The provision was enacted to overcome the bona fide needs rule, 31 U.S.C. § 1502, as it had been interpreted by the Government Accountability Office (formerly the General Accounting Office) (GAO). The GAO had long held that severable services were a bona fide need of the fiscal year in which they were rendered, and must be paid for with appropriations current at the time. By making current fiscal year budget authority available in the next fiscal year, Sections 2410a and 253~~l~~ are statutory exceptions to the bona fide needs rule. See *Matter of: Funding of Maintenance Contract Extending beyond Fiscal Year*, B-259274 (May 22, 1996). We believe it would be contrary to the purpose of Sections 2410a and 253~~l~~, to apply them in the context of IAs in such a way as to limit the flexibility of Executive agencies in meeting their needs for severable service contracts.

There are also practical reasons not to include the servicing agency's performance on the IA as part of the period of performance of the contract. Typically when DoD components come to GSA for assisted acquisition services, they are seeking a full year of contract performance and have funded the IA accordingly. If GSA's lead time is subtracted from the period of performance on the contract or task order, the result would be contracts and orders for less than a year -- that is, for less than what the component needs. In some cases, vendors may be unwilling to modify their prices to meet these short performance periods. This could have the result of limiting competition and/or increasing overall cost to the taxpayer. Also, if contracts and task orders were issued for a period of less than a year, GSA would have to refund small amounts of budget authority and both GSA and DoD would have to make time-consuming accounting corrections involving the deobligation of small amounts, or DoD would lose the ability to obligate those amounts. It would also be very difficult to communicate and implement such a policy for both DoD and GSA personnel. ..."

---

Continued from Page 1... **GSA is keeping a close eye on BlackBerry® issue**

The GSA Greater Southwest Region holds the Advanced Messaging Contract with SkyTel and the Wireless Enhanced Specialized Mobile Radio (ESMR) contract with Nextel, now known as Sprint. Both contracts offer BlackBerry® devices and e-mail services. Although no official word has been issued, GSA is in close communications with its industry partners to determine what impact, if any, federal customers will face.

Early indications are that government entities would not be impacted should the Courts impose an injunction against RIM, which would bar them from selling devices and e-mail services. RIM announced that they are developing software that will serve as a “work around” in order to continue offering wireless e-mail services should the injunction go into effect. Sprint also offered that, “Sprint intends to continue offering BlackBerry® services either as currently provided or via the ‘work around’ solution RIM has indicated it will implement if required at its network operations center.”

GSA will keep its federal customers posted of any developments in this case.

For additional information, contact Sylvia L. Hernandez, Director for Network Services, at (817) 978-3709 or via e-mail at [sylvia.hernandez@gsa.gov](mailto:sylvia.hernandez@gsa.gov).

## GSA extends FTS 2001 contracts

GSA announced it would extend the current FTS 2001 contracts with Sprint and MCI for two years. This extension will ensure no break in service to federal agencies until the new Networx contract is awarded. The contract extension will run from December 18, 2006, to December 17, 2008, for Sprint, and from January 11, 2007, to January 10, 2009, for MCI. For more information, contact Paul Tennessee, (703) 605-5640.

Visit the following URLs to read the *Government Computer News* articles:

“GSA Extends FTS Contract with Sprint Nextel, MCI”

[http://www.gcn.com/vol1\\_no1/daily-updates/38076-1.html](http://www.gcn.com/vol1_no1/daily-updates/38076-1.html)

“GSA extends Networx procurement award dates”

[http://www.gcn.com/vol1\\_no1/daily-updates/38089-1.html](http://www.gcn.com/vol1_no1/daily-updates/38089-1.html)

## Texas, Oklahoma, and Arkansas telecommunications contracts awarded

The Greater Southwest Region announced multiple awards of the following Local Services Acquisition (LSA) contracts:

- |            |   |                           |                    |
|------------|---|---------------------------|--------------------|
| • Texas    | — | SBC Global Services, Inc. | Verizon            |
| • Oklahoma | — | SBC Global Services, Inc. | Cox Communications |
| • Arkansas | — | SBC Global Services, Inc. |                    |

These are Indefinite Delivery, Indefinite Quantity (IDIQ) telecommunications local services contracts for areas within these states. The contracts have a base period of two years with three, one-year options, and offer a wide range of voice and digital local services. These offerings include both circuit switched and dedicated transmission services, extending from a single analog line to Primary Rate Interface (PRI) services, to DSL, to point-to-point data connectivity.

Typical **cost savings over tariff rates** for analog “Centrex-type” service including PRI and circuit switched services are:

<b>Texas</b>	<b>SBC = 20%</b>	<b>Verizon = 65%</b>
<b>Oklahoma</b>	<b>SBC = 34%</b>	<b>Cox = 9%</b>
<b>Arkansas</b>	<b>SBC = 32%</b>	

Previously awarded LSA contracts for New Mexico and Louisiana also offer substantial cost savings to federal customers in those states.

For information, contact: Sylvia Hernandez, (817) 978-3709.



## FTS Trouble Reporting Center

Many of our FTS customers know we're only a phone call away to report telephone trouble. Kris Berry and Danny Bolton have been providing our customers with around-the-clock support for many years. On January 3, 2006, a major change took place. Danny began his new career – retirement – following 35 years of dedicated federal service.



Kris Berry

Kris Berry is now manning the trouble desk solo but will be supported by the FTS North Texas Team. We are making several changes to our trouble reporting procedures, and we hope these process improvements will provide our client agencies with improved customer service response.

Please continue to report GSA telephone trouble at 1-800-256-8948, and for our customers in the Dallas/Fort Worth area, please call 817-978-3000.

We look forward to resolving your telecommunications trouble reporting needs.

## GSA prepares for secure federal ID card acquisition

GSA issued a Homeland Security Presidential Directive (HSPD) -12 Request for Information (RFI) seeking information from the vendor community on their capability to provide systems' solutions that will meet the implementation requirements of HSPD-12 (Policy for a Common Identification Standard for Federal Employees and Contractors). Specifically, GSA is seeking information on the capability of commercial vendors to deploy, operate, and maintain system solutions that provide one or more of the following core components for HSPD-12 systems:



- Registration system/services;
- Identity Management System/services;
- Card Management System/services;
- Public Key Infrastructure (PKI) Certification Authority Services; and
- Card Printing System/services.

Vendor solutions must comply with HSPD-12, Federal Information Processing Standard 201 (FIPS 201) and applicable Special Publications developed by the National Institute of Standards and Technology. Information gathered will aid GSA in the development of HSPD-12 blanket purchase agreements for client agencies.

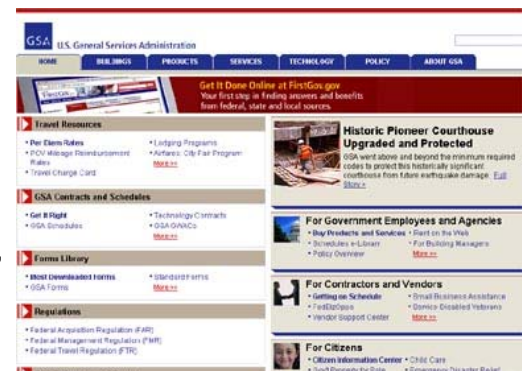
For more information, contact: Michael Brooks, (202) 501-2765.

To view Homeland Security Presidential Directive/HSPD-12, visit URL:  
<http://www.whitehouse.gov/news/releases/2004/08/20040827-8.html>

## GSA's agency website is better than ever

ForeSee Results "E-Government Satisfaction Index" reported that GSA's agency website <http://www.gsa.gov> has experienced a steady and appreciable upward trend in its satisfaction scores and currently better meets the needs of its customers than at any time in the past. This quarter's score of 67 is three points higher than last quarter and a full 12 points above the site's score at this time last year. Those who worked on the site noted that gsa.gov's continued improvement can be credited in large part to the mandates of the President's Management Agenda (PMA), which call upon federal employees to make government more citizen-centric and results oriented. The direction set in the PMA was followed through to reach the success the website enjoys today.

To read the report go to URL: <http://www.foreseeresults.com>.





*The Greater Southwest Region's Federal Technology Service professional and dedicated associates work diligently to assist in fulfilling your acquisition needs for the most up-to-date information technology, professional services and telecommunications products and services. In this section, we'd like to share some of the accolades received from our customers.*

**8th Coast Guard District Marine Safety Staff  
New Orleans, Louisiana**

"I would like (to) make you aware of some excellent service I recently received from GSA employee, Mr. **Keith Ellison**, who serves in GSA/FTS for the Greater Southwest Region. In late November, I completed an office move within the Hale Boggs Bldg (New Orleans) and along w/my new work space, inherited a phone line that could not make calls outside the local area code. This was a BIG problem for me. The Coast Guard telephone techs - my first try at a fix - were unable to do much for me -- and were several weeks at accomplishing this. I mentioned my plight to Keith and he jumped right on it, with the result that the problem was diagnosed and fixed in short order. I particularly appreciated his e-mail updates while the troubleshooting phase played-out.

Very respectfully,  
*Kevin Maehler*  
*Passenger Vessel Safety & Security Specialist"*

**Minerals Management Service  
Herndon, Virginia**

"Several months ago I took over as MMS' Contract Specialist coordinating MMS' Task Order on GSA Contract GS07TOOBGD0019. This soon comes to a close. I've been working with **Linda Shannon** who has been wonderful, leading me through the GSA processes, and responding to my inquiries in a most timely manner. She's made my taking on this task order very easy and I appreciate all she's done. Perhaps in the future, I'll have another opportunity to work with Linda. I would definitely look forward to it.

Thanks,  
*Sharon Teger*

**Texas Western Bankruptcy Court  
San Antonio, Texas**

"Just wanted to say thank you (**Kristine Berry**) for all your help in working with us over the past thirteen plus months on our ISDN network quality problems. Since these are long-term intermittent problems, they are particularly difficult to resolve. Also, given the nature of network failures, exact responsibility for the problems (SBC, Sprint, etc.) is very hard to determine. Nevertheless, you have tirelessly set about to resolve these problems for us, and we appreciate it.

Thank you also for pulling together a consortium of players from the various vendors and agencies, including SBC, Sprint, and our local GSA representative, to participate in several conference calls and vendor meets. These have turned out to be very productive and effective, and our immediate problems have usually been resolved in short order. Long-term issues with the local exchange and long distance carriers remain, of course, but they are the responsibility of the vendors, and we are pleased with the approach you are taking to ensure that they implement long term solutions to our problems.

Thanks again for the many extra hours and expertise you have poured into our problems over the past many months. We have always enjoyed working with you for the past several years and look forward to a continued great working relationship.

Sincerely,  
*Louis B. Phillips*  
*Courtroom Technology Administrator"*

**GSA Public Buildings Service  
Fort Worth, Texas**

"Thank you (**Elizabeth Nickelson**) for your excellent customer service. Our Town Hall meeting, live web cast was a success, due largely in part to your coordination with SBC technical personnel. Your attention to detail and follow-thru ensured a timely completion.

*Raquel Stokes"*

## When disaster strikes —

When Hurricanes Katrina and Rita struck Louisiana and Texas last summer, FTS associates deployed to the disaster areas as part of a multi-agency team to coordinate the restoration of the telecommunications infrastructure. Under the National Response Plan, GSA is responsible for appointing a Federal Emergency Communications Coordinator (FECC) and lead for Emergency Support Function-2 (telecommunications). The FECC is responsible for coordinating all telecommunications in the disaster area.

In August and September 2005, FTS deployed FECCs and other telecommunications specialists to the Federal Emergency Management Agency's (FEMA) Regional Response Coordination Center in Denton, Texas; Baton Rouge, Louisiana; New Orleans, Louisiana; and Austin, Texas. The National Communications System, Federal Communications Commission, FEMA, and Department of Homeland Security also provided representatives from their agencies to serve as part of the ESF-2 team. These highly motivated and dedicated individuals assisted the commercial telecommunications industry with gaining access to the disaster areas to repair their damaged systems, locating fuel to keep the generators running for the telephone/cell phone systems, coordinated berthing and staging areas for hundreds of telephone company crews and equipment, coordinated placement of temporary cell phone towers in the affected areas, and much more.

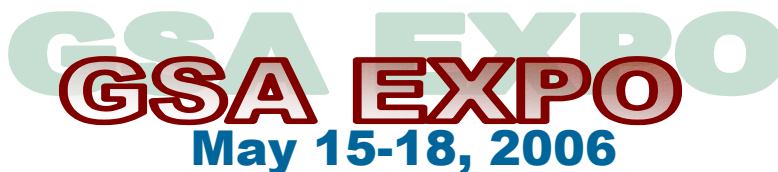
We'd like to recognize and thank our FTS associates as well as those who came from other GSA Regions and volunteered their time and services to serve on the ESF-2 teams in Louisiana and Texas in this united effort.

### The Greater Southwest Region, Fort Worth, Texas:

Russ Peery  
Lee Moore  
Larry Logan  
Karon Sheppard  
Cynthia Kirby  
Karen Laboon  
Keith Ellison  
Joey Phelps  
Russ Colomo

### The Great Lakes Region, Detroit, Michigan:

Frank Vick  
Nancy Trucks  
Barbara Graham



EXPO 2006 is a FREE Training Conference and Trade Show Exposition designed for all levels of government personnel who make or influence, procurement decisions.

**GSA's International Products and Services Expo 2006 will be our 12th annual expo, and our biggest and best yet!**  
More training, more exhibits, and lots of great reasons to join us in San Antonio on May 15, 16, 17, and 18, 2006.

★ TRAINING ★ TRAINING ★ TRAINING ★ TRAINING

#### FEDERAL AND MILITARY CUSTOMERS:

Admission is Free! There will be more than 200 hours of FREE training courses offered, and attendees can earn Continuous Learning Points (CLPs).

Our exhibit floor will have over 600 companies displaying products and services ranging from IT to recreation and vehicles to tools, pest control and financial management services.

Register on line at URL: <http://www.expo.gsa.gov>

### The Rocky Mountain Region, Denver, Colorado:

Dave Vest

### The Pacific Rim Region, San Francisco, California:

Yvonne Quenga

### The Mid Atlantic Region, Philadelphia, Pennsylvania:

Ray Cwenar

### The Northeast and Caribbean Region, New York City, New York:

James Norman

### The National Capital Region:

John Torrence

### The New England Region, Boston, Massachusetts:

Jerry Smith

## Greater Southwest Region FTS at your service . . .

*Serving Texas, Oklahoma, Arkansas, Louisiana, New Mexico, and the Americas*



### FEDERAL TECHNOLOGY SERVICE

**Assistant Regional Administrator**

**Marcella Banks**

**817 978-2871**

#### **Customer Service Team Managers:**

San Antonio/South Texas

Roy LaBuff

210 341-8300

*(includes El Paso, TX for Network Services)*

North Texas

Sandra Marquart

817 978-3537

Central/Southeast Texas/the Americas

Karen LaBoon

817 978-2372

Oklahoma/Arkansas

Paul McDaniel

405 609-8081

Louisiana

Michael Loria

504 589-4348

New Mexico

*(Acting) Paulie Sosebee*

817 978-0001

*(includes El Paso, TX for IT Solutions and Professional Services)*

### CUSTOMER RELATIONSHIP MANAGEMENT (CRM) AND SALES

**Director**

**Russell Colomo**

**817 978-4079**

**CRM and Sales Representatives:**

*(Acting) Lead*

Paulette Sepulvado

817 978-3230

Joey Phelps

817 978-3767

### INFORMATION TECHNOLOGY SOLUTIONS

**Director**

**Sharon O'Toole**

**817 978-3687**

### NETWORK SERVICES

**Director**

**Sylvia Hernandez**

**817 978-3709**

### PROFESSIONAL SERVICES

**Director**

**Susan Houser**

**817 978-4087**

### ACQUISITION SERVICES

**Director**

**Jill LaDuca**

**817 978-3240**

### HUMAN CAPITAL MANAGEMENT

**Director**

**Marjorie Readout**

**817 978-4177**

### FINANCIAL AND BUSINESS MANAGEMENT

**Director**

**Michael Daniel**

**817 978-3952**

GSA e-Mail address format:

[firstname.lastname@gsa.gov](mailto:firstname.lastname@gsa.gov)

On-line ordering system:

<http://it-solutions.gsa.gov>

**For more information about the Greater Southwest Region FTS, visit URL:**

<http://www.gsa.gov/greatersouthwest>